

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

BERNARD YOUNG,

Case No. 3:19-cv-00227-MMD-WGC

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Plaintiff

ORDER

Defendant

I. DISCUSSION

Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections (“NDOC”), has submitted a civil rights complaint under 42 U.S.C. § 1983. (ECF No. 1-1). Plaintiff has neither paid the full filing fee for this matter nor filed an application to proceed *in forma pauperis*.

Under 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an application to proceed *in forma pauperis* and attach both an inmate account statement for the past six months and a properly executed financial certificate. The Court will retain Plaintiff's civil rights complaint (ECF No. 1-1), but will not file it until the matter of the payment of the filing fee is resolved. Plaintiff will be granted an opportunity to file an application to proceed *in forma pauperis*, or in the alternative, pay the full filing fee for this action. If Plaintiff chooses to file an application to proceed *in forma pauperis* he must file a fully complete application to proceed *in forma pauperis*.

II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court WILL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff must either: (1) file a fully complete application to proceed *in forma pauperis*, on

1 the correct form with complete financial attachments in compliance with 28 U.S.C. §
2 1915(a); or (2) pay the full \$400 fee for filing a civil action (which includes the \$350 filing
3 fee and the \$50 administrative fee).

4 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,
5 dismissal of this action may result.

6 IT IS FURTHER ORDERED that the Clerk of the Court will retain the complaint
7 (ECF No. 1-1), but will not file it at this time.

8 DATED: May 7, 2019.

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10 *William G. Cobb*
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12 UNITED STATES MAGISTRATE JUDGE
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